



THE CITY OF NEW YORK OFFICE OF THE COMPTROLLER  
1 CENTRE STREET, NEW YORK, N.Y. 10007-2341

Scott M. Stringer  
COMPTROLLER

Date: 06/23/2015

NOTICE OF 50-H HEARING

015 - 280

KENNEITH MONTGOMERY PLLC  
198 ROGERS AVE  
BROOKLYN, NY 11201

Re: Claimant Name : JAMES BENBOW  
ClaimNumber: 2015PI013311

Dear Sir / Madam:

Please take notice that, pursuant to Section 50-h of the General Municipal Law (GML), claimant is mandated by law to appear at the following location, at the date and time specified below, to be orally examined under oath relative to the occurrence and extent of injuries for which the above claim is made:

Date of Hearing: 08/27/2015

Time of Hearing: 12:00 PM

Location of Hearing: JANE BARRETT AND ASSOCIATES, LLC (#2)  
188 MONTAGUE STREET SUITE 402  
BROOKLYN, NY 11201  
(718) 237-3400

Please note that all infant claimants must appear.

The claimant should be accompanied by his/her attorney. Claimant is further mandated, pursuant to Section 93(d) of the New York City Charter and Section 50-h of the GML, to present him/herself for a physical examination at a date and location to be provided under separate cover.

**Please note that, one week and then again one day prior to the hearing, you will be called by the law office above to confirm the date and time of the hearing. At that time you can request a language translator for your client, if necessary. If you confirm the hearing date during the final confirmation call and you and/or the claimant subsequently fail to appear for the hearing, you will be charged for any legal, translator and/or stenographic fees that the City incurs.**

*NOT HAND*

All applications for adjournments must be made in writing to the Comptroller's Office, Hearings Division, One Centre Street, #1222, New York, NY 10007, or by facsimile ((212) 669-8811). *The Office does not accept telephone requests for adjournments.*

Claimants will be permitted one adjournment without cause. Application for such adjournments should be made at least one week prior to the hearing date. Applications for additional adjournments must include the reason for the request, and will be granted for good cause only. It is your responsibility to advise the law firm at which the hearing is scheduled that you have requested an adjournment from the Comptroller's Office.

If a claimant fails to appear for a scheduled hearing, a default will be declared and claimant's failure to appear will be raised as an affirmative defense in any lawsuit filed.

You are requested to bring to the hearing original photographs of the accident scene and copies of all documents relevant to this claim including but not limited to:

- (1) prior written notice map;
- (2) all medical and hospital records;
- (3) authorizations for the Comptroller's Office to obtain, as applicable, medical, criminal, employment and/or school records, and loss of income documentation;
- (4) police reports.

Pursuant to State and Federal law, the Comptroller's Office is authorized to obtain, through its attorneys taking hearings, social security and Medicare or Medicaid numbers for tax and reporting purposes, and for the collection of liens held by the City and State.

Please be advised that nothing contained herein shall be construed as extending the statute of limitations beyond the statutory time.

*All questions with regard to this notice should be addressed to the undersigned at 212.669.2729 or mbodner@comptroller.nyc.gov.*

**STOP:** Please be aware that filing a false claim or aiding and abetting the filing of a false claim is a crime. Violators will be prosecuted to the fullest extent of the law.

Sincerely,

Marilyn Bodner, Esq.  
Director, Contract Services  
Bureau of Law and Adjustment, Hearing  
Division  
Fax (212) 669-8811